

1 Paul T. Trimmer
Nevada State Bar No. 9291
2 Eric Magnus (*admitted Pro Hac Vice*)
Georgia Bar No. 801405
3 Daniel I. Aquino
Nevada State Bar No. 12682
4 **JACKSON LEWIS P.C.**
300 S. Fourth Street, Suite 900
5 Las Vegas, Nevada 89101
Tel: (702) 921-2460
6 Fax: (702) 921-2461
Email: paul.trimmer@jacksonlewis.com
7 Email: daniel.aquino@jacksonlewis.com

8 *Attorneys for Defendant*

9
10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 LISA DANIELS,

13 Plaintiff,

14 vs.

15 ARIA RESORT & CASINO, LLC; DOES I
through V, inclusive; and ROE
16 CORPORATIONS I through V, inclusive

17 Defendants.

Case No.: 2: 20-cv-00453-GMN-DJA

**STIPULATION AND PROPOSED
ORDER TO STAY CASE PENDING
MEDIATION**

18 Defendant Aria Resort & Casino, LLC, (“Defendant” or “Aria”), by and through its
19 counsel, Jackson Lewis P.C., and Plaintiff Lisa Daniels (“Plaintiff”), by and through her counsel,
20 Claggett & Sykes Law Firm, hereby stipulate and request an order staying all proceedings,
21 discovery, and related deadlines in this matter pending mediation, including Plaintiff’s Reply in
22 Support of her Motion for Conditional Certification of a Collective Action which is currently due
23 December 23, 2020. The parties have agreed to engage in a mediation of all claims presented in
24 Plaintiff’s Complaint. The parties believe that the mediation has a high chance of success, and in
25 an effort to be as efficient as possible, in terms of both time and expenses, would like to refrain
26 from conducting further expensive and time-consuming discovery and motion practice while the
27 mediation is pending. The parties have identified potential mediators and fully anticipate
28 conducting the mediation on or before February 26, 2021.

1 If the mediation is successful, the case will be resolved in its entirety. However, even if
 2 the case does settle, given the nature of Plaintiff's claims and the legal requirements for court
 3 approval of settlements in Fair Labor Standards Act ("FLSA") cases, the parties will still require
 4 some intervention of the Court.

5 Accordingly, the parties stipulate and request that this matter be stayed in its entirety until
 6 February 26, 2021. On or before February 26, 2021, the parties will submit a joint status report to
 7 the Court indicating the result of the mediation and either proposing a discovery plan and
 8 scheduling order or a schedule for approval of the settlement.

9 If the Court does not grant the parties' requested stipulation to stay this matter, the parties
 10 alternately stipulate that Plaintiff's Reply in Support of her Motion for Conditional Certification
 11 of a Collective Action be due five days after the Court's order denying the stay.

12 This is the parties' first request for a stay in this matter and is made in good faith and not
 13 for the purpose of delay. As a trial date has not yet been set in this case, the trial will not be
 14 postponed due to the requested stay.

15 Based on the foregoing, the parties respectfully request that the Court enter an order
 16 granting the parties' requested relief.

17 Dated this 22nd day of December, 2020.

18 CLAGGETT & SYKES LAW FIRM

JACKSON LEWIS P.C.

19 /s/ Joseph N. Mott

/s/ Daniel I. Aquino

20 Sean K. Claggett, Esq., Nevada Bar No. 8407
 21 Joseph N. Mott, Esq., Nevada Bar No. 12455
 4101 Meadows Lane, Suite 100
 22 Las Vegas, Nevada 89107

Paul T. Trimmer, Nevada State Bar No. 9291
 Eric Magnus (admitted Pro Hac Vice)
 Daniel I. Aquino, Nevada State Bar No. 12682
 300 S. Fourth Street, Suite 900
 Las Vegas, Nevada 89101

23 Attorneys for Plaintiff

Attorneys for Defendant

24

25

26

27

28

ORDER

IT IS HEREBY ORDERED this matter is stayed in its entirety until February 26, 2021.

IT IS FURTHER ORDERED the parties will submit to the Court a joint status report on or before February 26, 2021. The status report will include the results of the parties' mediation efforts and propose a schedule for the case to proceed either with discovery or the settlement approval process.

Dated this 23 day of December, 2020.



Gloria M. Navarro, District Judge
United States District Court